

FSMA Produce Safety Rule FAQs:

Agritourism & FSMA

Welcoming visitors to our farms can be a big part of our farm model and an important part of what we do. Connecting people to the craft and work that sustains them is good for our farms and good for our people. We answer some Frequently Asked Questions about keeping our visitors and our foods safe below.

1. CAN I HAVE VISITORS TO MY FARM AND BE COMPLIANT WITH FSMA?

- Yes, you can absolutely have visitors on your farm and comply with food safety regulations. Under federal law, all food businesses need to produce safe foods and take reasonably necessary steps to prevent food from getting contamination. With visitors this means thinking about where on the farm your visitors will be going and taking some steps to address basic hygiene and sanitation measures.
- FSMA lays out basic, minimum measures of food safety protection for produce farms. If you're following the guidance and helping your visitors play a part in your food safety measures, you should be fine.

2. WHAT ARE THE VISITOR REQUIREMENTS FOR BEING FSMA COMPLIANT?

- If your farm is fully covered by FSMA's Produce Safety Rule, you'll have specific requirements you'll need to meet. You are required to:
 - *Make visitors aware of the practices and policies that will prevent food safety issues and take all steps reasonably necessary to make visitors follow those practices and procedures.*
 - *Provide toilet and hand-washing facilities for all visitors.*

3. HOW DO I MAKE VISITORS AWARE OF THESE REQUIREMENTS?

- You can make people aware of health and hygiene practices or other farm policies any way you like. You can use signs, tell people verbally, have it on a sign-in sheet—it's up to you!
- One of the most important things you can do to keep your visitors and your business safe is to provide hand-washing stations that are properly equipped and close enough that people will use them. Hand-washing stations can be made from Gatorade coolers as long as you stock it with clean water and use something to catch or divert the grey water, so people aren't walking through it.
- If you let children pet animals, make sure your hand-washing station is close enough that people will use it, has soap and water, and is set up to children can easily reach.

FSMA Produce Safety Rule FAQs: Agritourism & FSMA

- In one case study of an illness outbreak on a dairy farm, just a few calves in the petting zoo were shedding pathogenic *E. coli*. The farm had a hand-washing station available, but 51 people still got sick. The hand-washing station was too far out of the visitor traffic pattern for people to practically use it, and it was too tall for small children. Young children are more likely to have hand-to-mouth behavior. In this particular illness outbreak the average age of patients was 4 years old, and 92% of patients were under the age of 10.
- Think about what toilet or hand-washing facility your visitors can use on your farm and think about where you might want an extra hand-washing station. Any hand-washing station should include:
 - *Water that has been tested and has 0 generic E. coli or total coliforms.*
 - *Soap.*
 - *Single-use drying devices (paper towel, air dryers, etc.)*
 - *Adequate trash disposal for any waste.*
 - *Adequate diversion or disposal of grey water.*
- Note: hand sanitizer is fine to provide, but it doesn't replace soap and water for hand-washing. Case studies have also demonstrated that hand sanitizer isn't an effective public health intervention, but proper hand-washing is. Food safety professionals often recommend not providing hand sanitizer to visitors because they will use it instead of washing their hands.

4. WHAT IF I'M A PICK-YOUR-OWN OR U-PICK OPERATION? DO I HAVE TO DO ANYTHING SPECIAL FOR FSMA?

- If you run a U-Pick operation, you'll want to consider a few more food safety measures to protect your visitors and your business. **In addition** to the health and hygiene practices above, the FDA recommends asking or telling your customers:
 - Not to bring harvest containers from home unless they are cleanable and have been cleaned before using them.
 - Not to harvest any produce that's been visibly contaminated, including by animal or human feces.
 - Not to pick produce that's dropped to the ground from the plant or is resting on the ground because the plant is bowed over.
 - Not to bring pets with them to the produce handling areas.
- The FDA recognizes that you can't really make your U-Pick customers do anything. They consider your food to have entered commerce once the visitor puts their hands on the produce. Informing your visitors of the health and hygiene practices and the four additional considerations above fulfills your responsibility as a food business to make sure that you are taking steps to prevent adulterated product from entering commerce.

FSMA Produce Safety Rule FAQs: Agritourism & FSMA

5. WHAT ABOUT PETS? CAN VISITORS BRING THEIR PETS TO MY FARM? DO I HAVE TO KEEP MY PETS OUT OF MY FARM AREA?

- There are no food safety rules that say you can't have pets on your farm. FSMA does say that you need to take reasonable steps to minimize the risks from any animals in your food handling areas. This can translate into thinking about areas where pets may be welcome, where they might be welcome to relieve themselves, and how you can prevent your other customers from unknowingly encountering any contaminants that come with pets.
- Are there areas of your farm where you don't want pets? If you ask pet owners to clean up after their pets, where will their mess go, and what will the owners touch after that point? Do you have hand-washing stations conveniently nearby?
- You know your farm better than anyone, and you have a sense of your customer base as well. The important food safety consideration is to think about where the animals will go and how to keep the risk of any potential contamination minimized. If you're comfortable that your customers' pets won't contribute anything pathogenic to your food and food contact surfaces, there's no regulation that prevents welcoming them to your farming areas.

6. WHAT ARE THE RULES ABOUT SERVICE ANIMALS OR GUIDE DOGS?

- Service animals are defined as individual dogs or miniature horses that meet height and weight criteria that are trained to do work or perform tasks for people with disabilities. They are allowed anywhere their person goes, including restaurants and farm stands. The Maine Human Rights Act and the Federal Americans with Disabilities Act (ADA) allow only a narrow set of questions about potential service animals. You cannot ask to see a license or registration, and you cannot ask the person about their disability.
- You can ask only two questions:
 - *"Is this animal a service animal?"*
 - *"What work or task has this animal been trained to do?"*
- If a service animal is out of the control of its owner, isn't housebroken, or poses an active threat to the other members of the public, you do have the legal right to exclude the animal from your premises or have it removed. You cannot charge extra money for admission for a service animal, but the owner is responsible to pay for any damages the animal causes at the same rate you would charge anyone else for similar damages.
- More resources are available here:
https://www.ada.gov/regs2010/service_animal_qa.pdf
https://www.ada.gov/service_animals_2010.htm

FSMA Produce Safety Rule FAQs: Agritourism & FSMA

7. HOW CAN I EDUCATE THE PUBLIC ABOUT THE EFFORT AND VALUE OF FARMING IN A ‘SEEING IS BELIEVING’ WAY WHILE PRACTICING GOOD FOOD SAFETY MEASURES?

- Food safety is part of the story you tell about quality on your farm. You put a lot of hard work and thought and care into the products you make. Food safety is one of the ways your farm takes care of the most vulnerable among us.
- Foodborne illness doesn’t affect everyone evenly—it’s most often the **young**, the **elderly**, **pregnant women**, and the **immunocompromised** who get sick from food safety. You can connect the dots for your customers by explaining some of your daily food safety practices and by asking them to join you in helping to protect these people. You can do this in your social media messaging, in signs on your farms, or when you’re leading a group through a hands-on activity. You can use prompts like these:
 - *“All farming takes patience. Let me tell you about our seasonal rhythm while we wait for everyone to wash their hands at the hand-washing station...”*
 - *“Quality comes from taking care. We’ll be right with you as soon as we’re done taking care of cleaning our tools!”*
 - *“Would you lick your shoe? No? Me either! Please don’t stand on our boxes!”*
 - *“Please help us keep our picnic tables clean by not standing on them!”*
 - *“We triple rinse all of our greens in cold, clean water to bring you only the freshest, best, and safest food!”*
 - *“Our farm is part of a community, and we try to take care of everyone in that community. We ask you to help us take care of our elders, our next generation, our soon-to-be mothers, and those healing by following our health and hygiene policies...”*
- Get creative! You can use humor, your sense of values, or educational information to show your customers the extraordinary work you do as farmers to produce safe, amazing food. Most people respect and appreciate knowing how seriously you take their safety even when they’re not thinking about it.

8. WE HAVE ANIMALS. WE MAKE VALUE ADDED PRODUCTS. WHAT’S THE BEST WAY TO PLAN A PRODUCTION FACILITY VISIT—WHAT ORDER SHOULD WE ARRANGE TOUR STOPS? SHOULD PEOPLE GO TO THE ANIMALS FIRST? OR THE PROCESSING AREA?

- Food safety professionals usually recommend starting your tours from your ‘cleanest’ area and then heading to your ‘dirtier’ area. That way you don’t have to worry about tracking manure into your cheese room. That can be counterintuitive for visitors sometimes—most of us think in the opposite direction, from the beginning to the final product. You can still give tours starting with your animals

FSMA Produce Safety Rule FAQs: Agritourism & FSMA

then proceeding to the processing area, just think about whether you want to incorporate any food safety measures like hand-washing or a boot dip along the way.

9. HELP! I HAVE MORE QUESTIONS! WHO DO I CONTACT WITH THEM?

- If you have any questions about food safety on produce farms, call the Federal-State Inspection Service office at the Department of Agriculture, Conservation & Forestry. We're set up to do education, audits of Good Agricultural Practices on produce farms, and both FSMA advising and inspections. Contact info: 207-764-2100 or https://www.maine.gov/dacf/qar/inspection_programs/federal_state_inspection_service.shtml
- If you have questions about food safety in on-farm restaurants or dining clubs, contact the Department of Health and Human Services. They provide licensing and inspection services for several different types of businesses to protect the public health. These businesses include restaurants, lodging, campgrounds, youth camps, public swimming pools and spas, tattooists, micropigmentation, body piercing, electrolysis, school cafeterias, and mass gatherings. Contact them at the main office: 207-287-5671 or Lisa Silva, Program Manager at lisa.silva@maine.gov . Here is a link to [their website](#).
- If you have questions about food safety for value-added processing or in farm stands, contact the Consumer Protection Inspection program at the Department of Agriculture, Conservation & Forestry. They do the licensing and inspections for meat & poultry, home and commercial kitchens, processors, and retail stores. Contact them at: 207-287-3841 or Michelle Newbegin by email michelle.newbegin@maine.gov. Here is the [link to the form](#) for permits and licenses for Consumer Protection Inspections.